

Mail Stop Interference
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Entered: February 11, 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Crucell Holland B.V.,
Junior Party
(Application 10/136,145,
Inventor: Gosse Jan **Adema**),

v.

United States Of America As Represented By
The Secretary Of The Department Of Health And Human Services,
Senior Party
(Patent 5,844,075
Inventors: Yutaka **Kawakami** and Steven A. Rosenberg).

Patent Interference 105,588 (RES)
Technology Center 1600

**Redeclaration - Bd.R. 203(c) and
Order - Miscellaneous - Bd.R. 104(a)**

- 1 Crucell seeks authorization to file a motion challenging certain of
- 2 DHHS dependent claims as unpatentable under 35 U.S.C. § 112, ¶ 4 for
- 3 being improper dependent claims. Paper 22. The request is denied. The
- 4 motion will not affect the subject matter of the count.

1 The count includes a typographical error in the recitation of the amino
2 acid sequences. The interference is redeclared with the following count
3 (changes in bold):

4 **Count 1**

5 A melanoma vaccine comprising an amino acid sequence
6 selected from the group consisting of (1) Lys Thr Trp
7 Gly **Gln** Tyr Trp Gln Val Leu, and (2) Lys Thr Trp Gly
8 Gln Tyr Trp **Gln** Val.

9 The other conditions of the interference (Paper 1, p. 4) remain
10 unchanged.

/Richard E. Schafer/
Administrative Patent Judge

cc (via electronic filing):

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